send it to the hon. Member and, perhaps, he would like to follow it up with a further question later.

SHRI S. S. AHLUWALIA: Sir, it will be more convenient if he puts it on the net.

MR. CHAIRMAN: Next question.

SHRI MANI SHANKAR AIYAR: Sir, may I just answer him to say that we will certainly put it on the website and therefore, anybody could access it there. But I will send it directly to the hon. Member who asked the supplementary.

Floors allowed under Master Plan 2021

*162. SHRI MANOHAR JOSHI: Will the Minister of URBAN DEVELOPMENT be pleased to state:

(a) the number of floors (excluding Ground Floor) which have been allowed in the Master Plan 2021 in the houses constructed before 1st January, 2007;

(b) if those houses have any additional floors, whether Government are considering to regularize those floors by accepting penalty charges; and

(c) whether Government are also considering regularization of Hanging Projections of those houses by charging penalty amount?

THE MINISTER OF URBAN DEVELOPMENT (SHRI S. JAIPAL REDDY): (a) to (c) A Statement is laid on the Table of the Sabha

Statement

(a) and (b) The Master Plan for Delhi (MPD)-2021, notified on 7.2.2007, *inter alia*, prescribes the Development Control Norms for buildings in residential plotted housing in respect of maximum ground coverage, Floor Area Ratio (FAR) and number of dwelling units for different size of plots. MPD 2021 also prescribes the maximum height of the building in residential plotted housing as 15 metres. Permissible ground coverage and FAR subject to fulfillment of other terms and conditions including maximum height of 15 metres will determine the number of floors which can be constructed on a given size of plot. As per the terms and conditions laid down, plot owners/allottees seeking regularization of construction in terms of additional coverage/additional height are required to pay a penalty, compounding charges and betterment levy or additional FAR charges as well as special compounding charges at the rates notified by Government for this purpose. However, this is subject to orders of the Supreme Court.

(c) As for hanging projections, the Delhi Building Bye-Laws, permit certain types of projections into open spaces such as cornice, chajja, weather shade, canopy, balcony and certain types of cantilever strictly within the individual plot. Projections on public land are not permitted.

SHRI MANOHAR JOSHI: Sir, two parts, namely, (a) and (b) of my question have been replied together by the hon. Minister. I went through the answer given by the hon. Minister, and, unfortunately, I found that my main question has not been replied by the hon. Minister. The main question was, 'if those houses have any additional floors, whether Government are considering to regularise those

floors by accepting penalty charges'. This question has not been replied by the hon. Minister. Sir, in his reply, the hon. Minister has mentioned about the rules and regulations. He has also mentioned that those structures prior to 2007, their floor area/ratio was also considered — the area was considered — and the rules have been framed. But, unfortunately, the court had issued some specific directions in the matter relating to these structures. The only reference is made at the end of the reply by stating, "however, this is subject to the orders of the Supreme Court." Sir, I would like to know from the hon. Minister whether all these structures beyond ground floor will be regularized in Delhi and whether the Government is ready to make necessary changes in the Act for doing so.

SHRI S. JAIPAL REDDY: Sir, the hon. Member has not only been a Chief Minister, but he has also vast experience in the Corporation of Mumbai. Sir, I want him to appreciate that the floors as such are not mentioned in Master Plans. Floors flow out of three critical variables. One is, maximum ground coverage, the other is FAR, Floor Area Ratio, which in some parts of the country is called FSI and the height. Therefore, I could not answer the question in terms of floors. However, if you go by MPD 2001, in generality of cases what was permitted was ground plus two. Since we went in for liberalized norms under the Master Plan 2021, we can have ground plus three. However, this can be availed of provided concerned people pay penalty charges, compounding charges and so on and so forth. Therefore, Sir, I could not answer the question in terms of floors. He asked me as to what the Supreme Court orders mean. The Supreme Court is considering the Master Plan Document as a whole. However, it did pass some interim orders. They said the new liberalized norms in respect of additional accommodation will not come into force. Later, they partly revised those norms. We are keen to see that most of the constructions that have taken place are regularized. I am of the considered view maximum area already constructed has been sought to be regularized in the MPD 2021.

SHRI MANOHAR JOSHI: Sir, from the answer given by the hon. Minister, I presume that the Government has decided to regularise, as he said, 'maximum'. Sir, the word 'maximum' does not give exact meaning because there are lakhs of people who are staying on first floors and second floors in Delhi. May I presume that their structures will be regularized? I also want to know whether the projections, excepting those which have become hindrance to the road or some projections which are on the Government plan, excepting those, all other projections will be regularized.

SHRI S. JAIPAL REDDY: Sir, when I say maximum, I mean overwhelming number of cases. If somebody had built four floors instead of three, we are regularising. If somebody had built six, I would not be able to do that because if all others who did not build begin to do that, it would be a burden on the infrastructural services. I should regularize keeping in mind the ability to provide infrastructure services.

As far as hanging projections, we do permit regularisation of hanging projections so long as they do not trespass upon public land. Public land, the hon. Member would kindly appreciate, is a sacred thing and public land is meant for common use. If the hanging projections do not encroach upon public land, we are prepared to regularize them.

श्री शरद यादवः सभापति महोदय, शहरी विकास मंत्री जी से मैं आपके माध्यम से एक बात कहना चाहता हूं कि कानून तो आप बनाएंगे लेकिन जो हालात पिछले वर्षों में दिल्ली में हुए हैं, जो तबाही दिल्ली में हुई है और सदन ने जो कानून बनाया, किस तरह से उसकी धज्जियां उड़ रही हैं। देश के पूर्व लॉ मिनिस्टर ने प्रेस कॉन्फ्रेंस करके इस देश के पूर्व जस्टिस के बेटों के संबंध में कहा है। इसके अलावा अन्य कई तरह के उन्होंने आरोप लगाए हैं। मैं आपसे कहना चाहता हूं कि यह जो कानून आप बनाएंगे जिसके संबंध में आप सारी बातें रख रहे हैं। जो पिछला दौर दिल्ली में रहा है, वह तबाही का दौर रहा है। इस संबंध में ज्यूडिशियल कमीशन बनना चाहिए। अभी स्टेंडिंग कमेटी ने कहा है कि उसमें भी रिज़र्वेशन ठीक-ठीक से होना चाहिए। यह तो प्रमाणित है कि सुप्रीम कोर्ट में बहुत साख वाले, बहुत ईमानदार और सच्चाई वाले तीन चार लोगों ने प्रेस कॉन्फ्रेंस करके कहा कि जो पूर्व जस्टिस हैं उनके परिवार के लोगों को किस-किस तरह से लाभ मिला है। यह प्रमाणित है, मेरे पास वह है। प्रधान मंत्री जी यहां बैठे हैं। मैं मानता हूं कि यह सवाल जो किया है, इससे इसका इतना ही संबंध है कि आप दो या तीन मंज़िल बनाएंगे, लेकिन जिस तरह का यहां सिस्टम बन गया है कि इस पार्लियामेंट से जो कानून बनते हैं, उनकी धज्जियां उड़ाई जाती हैं और जो धज्जियां उड़ा रहे हैं, उनके बारे में भी पता लग जाता है कि उनकी क्या-क्या रुचि थी, क्या-क्या इंटरस्ट्स थे। मैं आपसे निवेदन करना चाहता हूं कि इन बातों पर आप आगे क्या करेंगे जिससे यह कानून मुकम्मिल बने और इस तरह के काम न हो सकें कि अपने निजी हितों के लिए जो जज हैं, वे इतना बड़ा फैसला दें और दिल्ली जैसी सदियों पुरानी बस्ती को जिससे नुकसान पहुंचे। हमारे यहां तो देश में सारे शहर गलियों में बसे हुए हैं। यह तो यूरोप की कहानियां हैं। जिस तरह से तबाही हुई, उस बाबत जिस कानून को बनाने का काम आप करेंगे, लेकिन जो पहले हुआ है, इसके बारे में भी क्या आप कुछ करेंगे क्योंकि आप तो बहुत संवेदनशील आदमी हैं।

SHRI S. JAIPAL REDDY: Sir, Sharad Yadavji is a former Central Minister and President of a national party. He will kindly appreciate that I would not be competent to answer some of the questions he raised because they do not relate to my Ministry. However, I appreciate the point that the people in Delhi cannot live in the same style for some years to come as people in some advanced cities. Therefore, when we notified the Master Plan Delhi- 2021, we did take the specific conditions of various categories of people into consideration and provided maximum concessions.

श्रीमती सुषमा स्वराजः सभापति जी, मैं मंत्री महोदय से जानना चाहती हूं कि इस प्रश्न में जितने भी बिन्दुओं पर सवाल पूछा गया है, जैसे, मेक्सिमम ग्राउंड कवरेज या एफ.ए.आर. फ्लोर एरिया रेशो आदि, इन तमाम बिन्दुओं पर अध्ययन करने के लिए विजय कुमार मल्होत्रा की अध्यक्षता में एक समिति गठित की गई थी और उस मल्होत्रा समिति ने मानवीय सम्वेदना और दिल्ली के राजधानी के स्वरूप को बचाए रखने के बीच तालमेल करते हुए बहुत अच्छी सिफारिशें दी थीं। अगर सरकार उन सिफारिशों पर कार्यान्वयन कर दे तो इन तमाम बिन्दुओं का बहुत संतोषजनक समाधान हो सकता है। तो सरकार उस समिति की सिफारिशों पर कार्यवाही क्यों नहीं कर रही है?

SHRI S. JAIPAL REDDY: Sir, I want the hon. Member, Sushmaji, to appreciate that this Report of the Committee headed by Prof. Vijay Kumar Malhotra was

submitted to the NDA Government. The then Minister, Mr. Jagmohan, dismissed it. ...*(Interruptions)*... It is some undeserved contempt. ...*(Interruptions)*... I do not want to engage a senior Member in this slanging match. We did, however, take many of the recommendations into consideration. While we did not agree with the plea for general amnesty, our Master Plan Delhi-2021 amounts to a large scale regularization of things that had happened for many years in Delhi to provide comprehensive relief to various categories of people.

श्रीमती सुषमा स्वराज: जनरल amnesty के बिना दिल्ली का हल नहीं होगा। श्री जोशी जी यहां बैठे हैं, उल्हास नगर में जनरल amnesty प्लान आया था और तभी उसका समाधान हुआ था। तो एक बार जनरल amnesty लाना होगा, वरना वही तबाही होगी।

MR. CHAIRMAN: Only one question, please. ...*(Interruptions)*... Shri Jai Prakash Aggarwal. ...*(Interruptions)*...

SHRI S. JAIPAL REDDY: May I answer this, Sir? ...*(Interruptions)*... If you permit me...*(Interruptions)*...

श्री जय प्रकाश अग्रवाल: सर, दरअसल जो पिछला एक साल रहा है वह दिल्ली वालों के लिए बहुत खराब रहा और लोग आंसुओं से रोए हैं। सर, जिन्होंने दिल्ली में आशियाना बनाया, अपना घर बनाया, वे छोटे-छोटे लोग हैं, गरीब लोग हैं। लेकिन जो परिभाषा मंत्री जी ने अपने इस जवाब में लिखी है मुझे उस पर बहुत सख्त ऐतराज है।

"As per the terms and conditions laid down, plot owners/allottees seeking regularisation of construction in terms of additional coverage/additional height are required to pay a penalty, compounding charges and betterment levy or additional FAR charges as well as special compounding charges at the rates notified by Government for this purpose."

सर, मैं यह जानना चाहता हूं कि दिल्ली में कांग्रेस की सरकार में रहते हुए हमने पास किया था कि हम कोई नहीं लेंगे और सब को एक कट ऑफ डेट के साथ रेग्युलराइज करेंगे, तो उसका क्या हुआ? नम्बर-2, जब कारपोरेशन में कांग्रेस की सरकार थी तो उन्होंने यह कहा कि हम कोई पैसा नहीं लेना चाहते। तो लोगों को फायदा कैसे पहुंचेगा? अगर आप कोई मिनिमम पैनल्टी लेंगे तब फायदा पहुंचेगा। अगर कारपोरेशन यह कह रही है कि हम नहीं लेना चाहते तो फायदा पहुंचेगा और कौन सी कम्पीटेंट ऑथोरिटी है जो पैसा लेगी। अगर आप माफ करना चाहते हैं और दिल्ली वालों को राहत देना चाहते हैं तो इतनी लम्बी परिभाषा से राहत नहीं मिलेगी, लोग और परेशान होंगे। मैं यह चाहता हूं कि आज आपके जवाब से यह मैसेज जाए कि हम उनकी तरफ देख रहे हैं और उनको राहत पहुंचाना चाहते हैं और इतनी ज्यादा पैनल्टी नहीं ली जाएगी और उनको एक कट ऑफ डेट के साथ माफ किया जाएगा और वह कट ऑफ डेट क्या होगी?

SHRI S. JAIPAL REDDY: Sir, I share the sympathy of my friend, Jai Prakash Aggarwalji, therefore, we reduced the charges in almost all the cases by two-third. Now I am glad to say the people in general are happy with the level of penal charges. They are bit unhappy about certain other things and not in regard to the charges. ...*(Interruptions)*...

MR. CHAIRMAN: Please. ...*(Interruptions)*... Question No. 163.

DR.K. MALAISAMY: I have been repeatedly asking you but you do not look at me. ...*(Interruptions)*...

MR. CHAIRMAN: Next Question.

MR. CHAIRMAN: Only one question, please. ...*(Interruptions)*... Shri Jai Prakash Aggarwal. ...*(Interruptions)*...

SHRI S. JAIPAL REDDY: May I answer this, Sir? ...*(Interruptions)*... If you permit me...*(Interruptions)*...

Unwanted tele-marketing calls

*163. SHRI V. HANUMANTHA RAO: Will the Minister of COMMUNICATIONS AND INFORMATION TECHNOLOGY be pleased to state:

(a) whether TRAI has put in place norms to ensure that tele-marketeers do not disturb phone users;

(b) to what extent the National Do Not Call (NDNC) Registry would help poorer sections to get access to it and ensure that they are not disturbed;

(c) whether it is a fact that poorer people would not be able to properly avail of the 'National Registry';

(d) the steps proposed to evolve a Registry with a positive list of subscribers who welcome telemarketing; and

(e) the steps to protect people from unwanted SMS messages?

THE MINISTER OF STATE IN THE MINISTRY OF COMMUNICATIONS AND INFORMATION TECHNOLOGY (DR. SHAKEEL AHMAD): (a) to (e) A Statement is laid on the Table of the House.

Statement

(a) Yes, Sir. TRAI has issued regulation on Unsolicited Commercial Communication on 5th June, 2007.

(b) and (c) NDNC Registry has been put in place to register requests of mobile subscribers who does not want to be disturbed by tele-marketing calls. This registry does not discriminate between poor and rich. Any mobile subscriber can request his/her own service provider to get his number included in NDNC registry. This facility is free of cost for the subscribers.

(d) There is no proposal to evolve a registry with a positive list of subscriber who welcome tele-marketing calls.